REMARKS

The enclosed is responsive to the Final Office Action mailed on February 17, 2006. At the time the Office Action was mailed claims 1-8, 10-16, 18-35, 37-59, and 61-64 were pending. By way of the present response, the Applicant has: 1) amended claim 1; 2) added no claims; and 3) canceled no claims. As such, claims 1-8, 10-16, 18-35, 37-59, and 61-64 remain pending. The Applicant respectfully requests reconsideration of the present application and allowance of all claims presented.

35 U.S.C. § 103 Rejections

The Office Action rejected claims 1-8, 10-16, 20-35, 39-47, 50-59 and 63-64 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,081,262 (hereinafter, "*Gill*") and U.S. Patent 5,588,104 (hereinafter, "*Lanier*"). The Applicant respectfully traverses.

The Office Action states, "*Gill* fails to explicitly teach the created scene is a virtual reality scene, and the processing including associating each media object with a series of views of the object from various orientations and locations in three-dimensional space." (Office Action, p. 3). The Office Action asserts, "It would have been obvious to one of ordinary skill in the art, having the teachings of *Gill* and *Lanier* before him at the time the invention was made, to modify the method for creating a scene from a plurality of media objects of *Gill* to include the creation of a virtual reality scene in three-dimensional space taught by *Lanier*." (Office Action, p. 3-4).

However, the suggested combination of *Gill* and *Lanier* would require a substantial reconstruction and redesign of the elements shown in *Gill* as well as a change in the basic principle under which *Gill* was designed to operate. In addition, the proposed modification would render *Gill* being modified unsatisfactory for its intended purpose.

In *Gill*, the "multi-media presentation generation system uses <u>a page based print document layout paradigm </u>to regulate the spatial relationships among the plurality of objects contained within the multi-media presentation." (*Gill*, col. 3, lines 20-24). *Gill* provides an example of a page based document layout system – QuarkXPress. (*Gill*, col. 3, line 36). *Gill* describes:

> The underlying page based document layout system...functions to <u>partition document pages</u>...into a plurality of objects (also termed boxes), each of which is independently editable by the author. The page based document layout system coordinates and manages the inputting of data into the plurality of objects and

ensures that the populated objects are integrated into the final <u>document page</u> <u>layout</u>. (*Gill*, col. 6, lines 23-30, emphasis added).

Fig. 2 of *Gill* (reproduced below) shows a page layout created using the system of *Gill*.
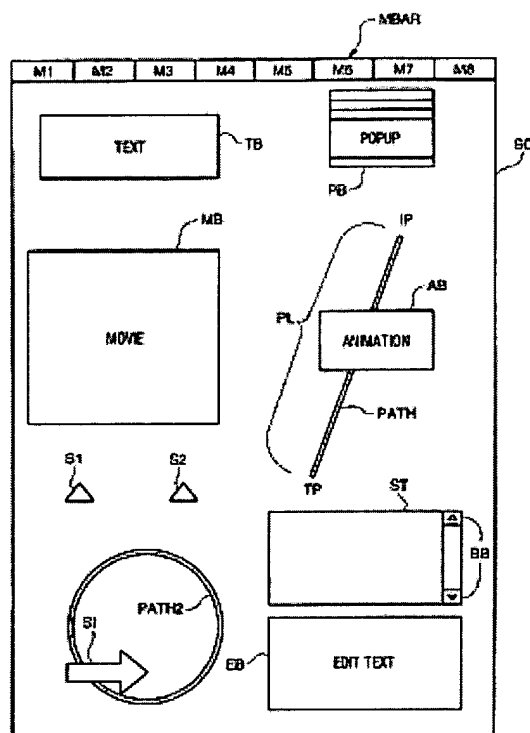

FIG. 2

Gill describes: "This system operates...<u>based on a desktop publishing environment</u>. There is also <u>no need for programming expertise</u> to author multi-media presentations. This system <u>does not require the author to work on logical and visual abstractions</u> of both objects and the viewable screens on which they appear." (*Gill*, col. 4, lines 44-50, emphasis added).

To specifically distinguish from previous systems, *Gill* describes: "none of these [previous] systems are built upon a page based print document layout system paradigm....These [previous] systems <u>require the author to work in unfamiliar environments, in that they are unlike</u> <u>print based authoring systems and tend to be programmatically complex</u>." (*Gill*, col. 2, lines 56-64, emphasis added).

To modify *Gill*'s "familiar" print based authoring system to create a virtual reality scene as described by *Lanier*, into which *Gill*'s objects are then integrated, would require a change in the basic principle of a desktop publishing environment under which *Gill* was designed to operate.

According to *Lanier*, to create a virtual world, "a complete description of all virtual objects in the virtual world, including their constraints of motion, hierarchy, color, texture and other attributes must be made and entered into the virtual reality computer." (*Lanier*, col. 1, lines 22-26).

In *Lanier*, "To create a description of the contents and behavior of a virtual world, the user combines available input, function and output units into a network of interconnected units." (*Lanier*, col. 4, lines 1-3, emphasis added). *Lanier* describes: "a computer display attached to a specially programmed digital computer displays two different graphs; the first is a hierarchically defined set of points that make up an object or a set of objects in terms of their relative positions. The second graph is a data flow network represented as a plurality of interconnected units." (*Lanier*, col. 2, lines 40-46, emphasis added). Describing Fig. 1, *Lanier* states: "The window in the upper right-hand corner shows a point in the tree hierarchy and its orientation, while the lower right-hand corner illustrates a data flow network with multiple input, function and output units." (*Lanier*, col. 1, line 66 – col. 2, line 8). Fig. 1 of *Lanier* is reproduced below.
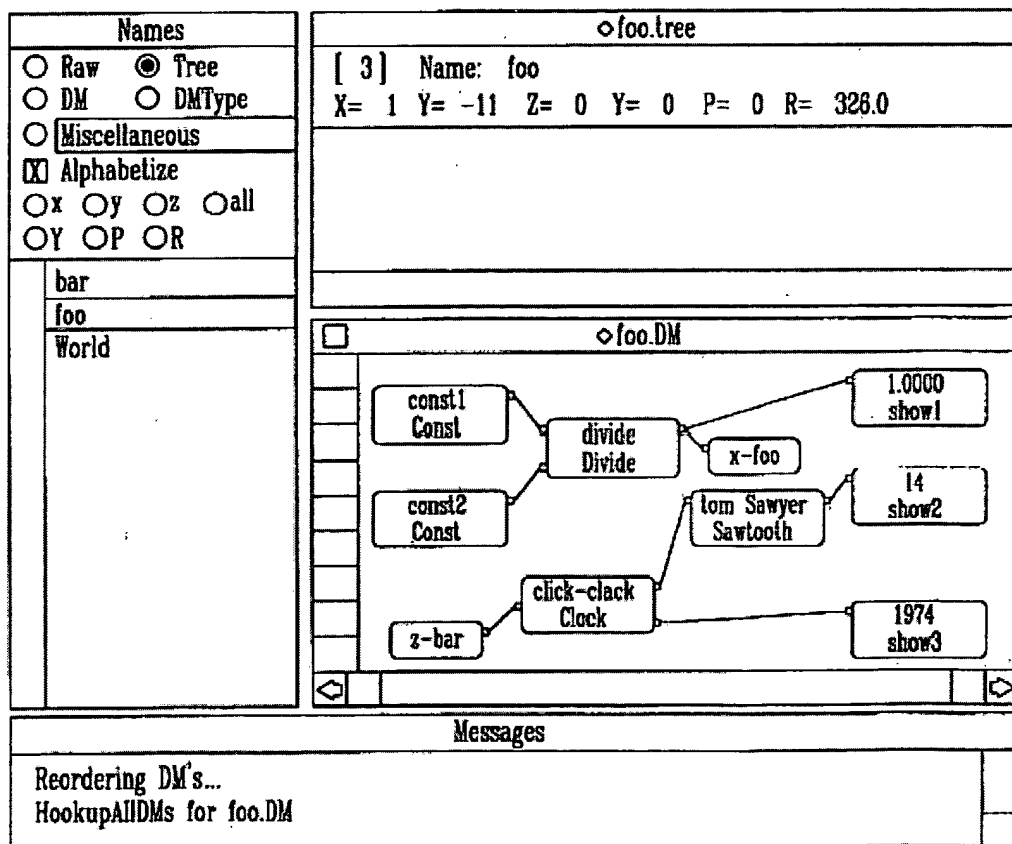

FIG. 1

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Accordingly, to modify *Gill* to create the virtual world of *Lanier*, into which the media objects of *Gill* are then integrated, requires a change in the basic desktop publishing environment of *Gill* and substantial reconstruction and redesign of the elements of *Gill*. The user would have to work in an unfamiliar environment, an environment unlike print based authoring systems. The user also would have to work with logical and visual abstractions to create a data flow network to create a description of the contents and behavior of the virtual world. The proposed modification would render *Gill* being modified unsatisfactory for its intended purposes.

If a proposed modification or combination of the prior art would change the principle of operation of the prior art being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. If proposed modification would render the prior art being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.

Accordingly, the Applicant respectfully submits that rejections of claims 1-8, 10-16, 20-35, 39-47, 50-59 and 63-64 are improper. Therefore, the Applicant respectfully requests withdrawal of the rejections of claims 1-8, 10-16, 20-35, 39-47, 50-59 and 63-64 under 35 U.S.C. § 103(a) as being unpatentable over *Gill* and *Lanier*.

The Office Action rejected claims 18-19, 37-38, and 48-49 under 35 U.S.C. § 103(a) as being unpatentable over *Gill* and *Lanier*, as applied to claims 1, 30 and 42 above, and further in view of U.S. Patent 5,724,106 (hereinafter "*Autry*").

Claims 18-19, 37-38, and 48-49 depend, directly or indirectly, from one of the independent claims 1, 30, and 42. As discussed above, the rejections of claims 1, 30, and 42 as being unpatentable over *Gill* and *Lanier* are improper. Accordingly, the Applicant submits that the rejection of dependent claims 18-19, 37-38, and 48-49 as being unpatentable over *Gill* and *Lanier*, and further in view of *Autry* are also improper.

Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 18-19, 37-38, and 48-49 under 35 U.S.C. § 103(a) as being unpatentable over *Gill* and *Lanier*, and further in view of *Autry*.

The Office Action rejected claims 61-62 under 35 U.S.C. § 103(a) as being unpatentable over *Gill* and *Lanier*, as applied to claim 53 above, and further in view of U.S. Patent 6,664,986 (hereinafter "*Kopelman*").

Claims 61-62 depend, directly or indirectly, from the independent claim 53. As discussed above, the rejection of claim 53 as being unpatentable over *Gill* and *Lanier* is improper. Accordingly, the Applicant submits that the rejections of dependent claims 61-62 as being unpatentable over *Gill* and *Lanier*, and further in view of *Kopelman* are also improper.

Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 61-62 under 35 U.S.C. § 103(a) as being unpatentable over *Gill* and *Lanier*, and further in view of *Kopelman*.

CONCLUSION

The Applicant respectfully submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Mr. James C. Scheller or Ms. Van N. Nguy at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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